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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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U.S. DISTRICT COURT
WESTERN DIVISION
CINCINNATI

United States of America, *et al.*,)
Plaintiffs,)
v.)
The Board of County Commissioners,)
Hamilton County, Ohio, *et al.*,)
Defendants.)
Case No. 1:02cv00107
(Consol. with C-1-02-108 and
C-1-02-135)
Judge S. Arthur Spiegel

NOTICE OF APPEAL

Notice is hereby given that Defendants Board of County Commissioners of Hamilton County, Ohio, and the City of Cincinnati appeal to the United States Court of Appeals for the Sixth Circuit from the Opinion and Order (D.E. #144) granting Sierra Club and Marilyn Wall's Motion for Attorneys' Fees and Costs and from the Judgment in a Civil Case (D.E. #145), both entered in this action on the twenty-third day of August 2005.

Dated this 21st day of September 2005.

Respectfully submitted,



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For the Board of County Commissioners
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Defendants' Board of County Commissioners and City of Cincinnati's Notice of Appeal was served on this September 21, 2005, via regular mail upon the following:

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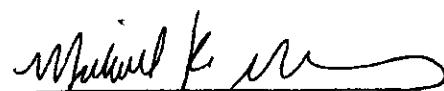
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